

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 92-CR-80236-DT

FELIX WALLS,

Defendant.

**ORDER DENYING DEFENDANT'S "MOTION TO BE RELEASED . . ."
AND ADJOURNING SENTENCING**

Pending before the court is Defendant Felix Walls's "Motion to be Released . . . or Transferred to Milan Detention Center," filed on November 10, 2005. In his motion, Defendant Walls requests to be transferred from Wayne County Jail to Milan Detention Center ("Milan"), principally because Milan has more favorable telephone conditions. On November 16, 2005, the court conducted an on the record status conference, at which time Defendant explained the substance of his motion. For the reasons discussed on the record,

IT IS ORDERED that Defendant's "Motion to be Released . . ." [Dkt. # 563] is DENIED. The court has no authority to dictate Defendant's place of confinement. Nonetheless, as explained at the conference, it is likely that Defendant will be transferred to Milan, in any event, within the next few weeks.

IT IS FURTHER ORDERED that Defendant's November 29, 2005 Re-Sentencing Hearing is ADJOURNED to allow Defendant time to retain counsel of his choice and to allow the parties time to prepare any necessary re-sentencing briefs.

IT IS FURTHER ORDERED that on or before **January 11, 2006** Defendant shall file a status report, indicating whether he has retained an attorney and, if not, whether he requires additional time to retain an attorney, whether he would like the court to appoint an attorney at public expense or, alternatively, whether he wishes to represent himself. If an attorney files a notice of appearance on Defendant's behalf prior to January 11, 2006, a status report need not be filed.

The court will conduct another status conference after Defendant's attorney situation is resolved.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 16, 2005

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 16, 2005, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522